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7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues Against:

Case No. 2008-277

12 DAWN ALISON TAYLOR  
13 601 South San Pedro Street,  
Los Angeles, Ca. 90014

**STATEMENT OF ISSUES**

14 Registered Nurse License Application by  
Endorsement

15 Respondent.  
16

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Statement of  
21 Issues solely in her official capacity as the Executive Officer of the Board of Registered Nursing,  
22 Department of Consumer Affairs.

23 2. On or about July 22, 2004, the Board of Registered Nursing, Department  
24 of Consumer Affairs received an application for a Registered Nurse License Application by  
25 Endorsement from Dawn Alison Taylor (Respondent). On or about July 22, 2004, Dawn Alison  
26 Taylor certified under penalty of perjury to the truthfulness of all statements, answers, and  
27 representations in the application. On or about November 18, 2005, a temporary license was  
28 issued to Respondent which expired on May 18, 2006. On or about November 9, 2005,

1 Respondent requested a second temporary license which was denied by the Board. On or about  
2 June 28, 2007 the Board denied Respondent's application for a permanent registered nursing  
3 license.

#### 4 JURISDICTION

5 3. This Statement of Issues is brought before the Board of Registered  
6 Nursing (Board), Department of Consumer Affairs, under the authority of the following laws.  
7 All section references are to the Business and Professions Code unless otherwise indicated.

8 4. Section 2761 of the Code states:

9 "The board may take disciplinary action against a certified or licensed nurse or  
10 deny an application for a certificate or license for any of the following:

11 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

12 . . . .

13 "(4) Denial of licensure, revocation, suspension, restriction, or any other  
14 disciplinary action against a health care professional license or certificate by another state or  
15 territory of the United States, by any other government agency, or by another California health  
16 care professional licensing board. A certified copy of the decision or judgment shall be  
17 conclusive evidence of that action.

18 . . . .

19 "(e) Making or giving any false statement or information in connection with the  
20 application for issuance of a certificate or license.

21 "(f) Conviction of a felony or of any offense substantially related to the  
22 qualifications, functions, and duties of a registered nurse, in which event the record of the  
23 conviction shall be conclusive evidence thereof."

24 5. Section 2762 states:

25 "In addition to other acts constituting unprofessional conduct within the meaning  
26 of this chapter [chapter 6, commencing with section 2700], it is unprofessional conduct for a  
27 person licensed under this chapter to do any of the following:

28 "(b) Use any controlled substance as defined in Division 10 (commencing with

1 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as  
2 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or  
3 injurious to himself or herself, any other person, or the public or to the extent that such use  
4 impairs his or her ability to conduct with safety to the public the practice authorized by his or her  
5 license.

6 "(c) Be convicted of a criminal offense involving the prescription, consumption,  
7 or self-administration of any of the substances described in subdivisions (a) and (b) of this  
8 section, or the possession of, or falsification of a record pertaining to, the substances described in  
9 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence  
10 thereof.

11 6. Section 480 of the Code states:

12 "(a) A board may deny a license regulated by this code on the grounds that the  
13 applicant has one of the following:

14 "(1) Been convicted of a crime. A conviction within the meaning of this section  
15 means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action  
16 which a board is permitted to take following the establishment of a conviction may be taken  
17 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal,  
18 or when an order granting probation is made suspending the imposition of sentence, irrespective  
19 of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

20 . . . .

21 "(3) Done any act which if done by a licentiate of the business or profession in  
22 question, would be grounds for suspension or revocation of license.

23 "The board may deny a license pursuant to this subdivision only if the crime or act  
24 is substantially related to the qualifications, functions or duties of the business or profession for  
25 which application is made.

26 . . . .

27 "(c) A board may deny a license regulated by this code on the ground that the  
28 applicant knowingly made a false statement of fact required to be revealed in the application for

1 such license.”

2 FIRST CAUSE FOR DENIAL OF APPLICATION

3 (Criminal Conviction(s))

4 7. Respondent's application is subject to denial under sections 480(1), and  
5 2761 (a) and (f) in that on Respondent has been convicted of the following convictions  
6 substantially related to the qualifications, functions, and duties of a registered nurse:

7 a. On or about January 29, 1991, in a criminal proceeding entitled *People of the*  
8 *State of New York v. Dawn Allison Taylor*, Case Number 65862, Respondent was convicted of  
9 operating a vehicle under the influence of a drug or alcohol.

10 b. On or about November 10, 1993, in a criminal proceeding entitled *State of*  
11 *New Mexico v. Dawn Allison Taylor*, Case Number 52644/167727, Respondent was convicted of  
12 driving while intoxicated (DWI).

13 1. The circumstances surrounding the conviction are as follows: On or  
14 about November 7, 1993, Respondent was observed driving 45 miles per hour in a 30 mile per  
15 hour zone. The vehicle was also observed weaving and crossing the painted lane divider three  
16 separate times.

17 c. On or about January 11, 2005, in a criminal proceeding entitled *People of*  
18 *the State of Texas v. Dawn Allison Taylor*, Case Number 2005CRM000069, Respondent was  
19 convicted of public intoxication.

20 1. The circumstances surrounding the conviction are as follows: On or  
21 about January 5, 2005, Respondent was found unconscious in a parked vehicle located in a  
22 supermarket parking lot.

23 d. On or about January 3, 2006, in a criminal proceeding entitled *People of*  
24 *the State of California v. Dawn Allison Taylor*, Case Number 6CA03563, Respondent was  
25 convicted of violating Penal Code section 647(a) (disorderly conduct, lewd act), a misdemeanor.

26 1. The circumstances surrounding the conviction are as follows: On or  
27 about December 30, 2005, police officers observed Respondent and a male subject engaged in a  
28 lewd sexual act inside the vehicle of the male subject.

1 e. On or about May 26, 2006, in a criminal proceeding entitled *People of the*  
2 *State of California v. Dawn Allison Taylor*, Case Number 6CA19299, Respondent was convicted  
3 of violating Penal Code section 472 (forging of an official seal), a misdemeanor.

4 1. The circumstances surrounding the conviction are as follows: On or  
5 about May 24, 2006, Respondent was found by to be in possession of a fake California driver's  
6 license.

7 f. On or about May 26, 2006, in a criminal proceeding entitled *People of*  
8 *the State of California v. Dawn Allison Taylor*, Case Number 6HY00971, Respondent was  
9 convicted of violating Penal Code section 647(b) (disorderly conduct, prostitution), a  
10 misdemeanor.

11 1. The circumstances surrounding the conviction are as follows: On or  
12 about March 10, 2006, Respondent approached an undercover police vehicle and once inside the  
13 vehicle offered to perform a sexual act for money.

14 SECOND CAUSE FOR DENIAL OF APPLICATION

15 (Discipline by Another State Agency)

16 8. Respondent is subject to disciplinary action pursuant to section 480(3), and  
17 2761(a)(4) of the Code on the grounds of unprofessional conduct in that on or about August 23,  
18 2006, in a Settlement Agreement, in the Matter of Dawn Taylor, Respondent, Case No. R36620,  
19 the Board of Nursing for the State of New Mexico issued a letter of reprimand and placed  
20 Respondent's nurse license on probation for one year. The circumstances surrounding the  
21 discipline of Respondent's nurse license were that Respondent committed misconduct and  
22 unprofessional conduct as follows:

23 a. Respondent engaged in the practice of nursing at Cibola General Hospital in  
24 New Mexico when her judgment or physical ability were impaired by alcohol, drugs or  
25 controlled substances.

26 THIRD CAUSE FOR DENIAL OF APPLICATION

27 (Misrepresentation on Application)

28 9. Grounds exist to deny Respondent's application pursuant to sections 2761(e)

1 and 480(c), in that on or about July 22, 2004, she misrepresented material facts under oath by  
2 submitting a falsified Application for Licensure By Endorsement, as follows:

3 a. On or about July 22, 2004, Respondent answered "No" to the  
4 question on her application for examination that asked, "Have you ever been convicted of any  
5 offense other than minor traffic violations? If yes, explain fully as described in the applicant  
6 instructions. Convictions must be reported even if they have been expunged under Penal Code  
7 section 1203.4 or if a diversion program has been completed under the Penal Code or Article 5 of  
8 the Vehicle Code. Traffic violations involving driving under the influence, injury to persons or  
9 providing false information must be reported. The definition of conviction includes convictions  
10 of following a plea of nolo contendere (no contest) as well as pleas or verdicts of guilty. YOU  
11 MUST INCLUDE MISDEMEANOR AS WELL AS FELONY CONVICTIONS".


12 b. In truth and fact, Respondent had suffered convictions in January  
13 29, 1991, and November 10, 1993, as further set forth above in paragraph 7 (a) and (b).

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
16 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 17 1. Denying the application of Dawn Alison Taylor for a Registered Nurse  
18 License Application by Endorsement;  
19 2. Taking such other and further action as deemed necessary and proper.  
20

21 DATED: 4/3/08  
22

23   
24 RUTH ANN TERRY, M.P.H., R.N.  
25 Executive Officer  
26 Board of Registered Nursing  
27 Department of Consumer Affairs  
28 State of California  
Complainant